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<b>Date</b>	December 1, 2008
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Please find following: After Final Office Action response for patent application no. 10/549,330

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PTO/S&amp;21 (10-08)

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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number 10/549,330

Filing Date 12 September 2005

First Named Inventor Gary Mills

Art Unit 3736

Examiner Name Brian S. Szmal

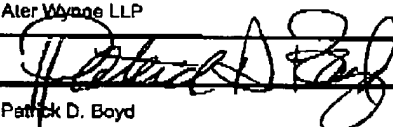
Attorney Docket Number 103477-0005

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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
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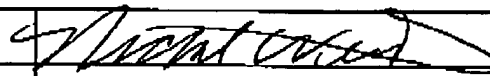
Remarks

### **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Ater Wynne LLP		
Signature			
Printed name	Patrick D. Boyd		
Date	1 December 2008	Reg. No.	54,671

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Typed or printed name	Nicholas Weintraub	Date	1 December 2008

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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER 3700  
Attorney Docket No. 103477-0007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gary Mills et al.

Serial No. 10/549,330

Examiner: Brian Szmal

Confirmation No. 6689

Filed: 12 September 2005

Group Art Unit: 3736

For: METHODS OF AND APPARATUS FOR DETERMINING FLUID VOLUME  
PRESENCE IN MAMMALIAN TISSUE

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**RESPONSE UNDER § 37 C.F.R. 1.116 – EXPEDITED PROCEDURE  
TECHNOLOGY CENTER 3700**

Responsive to Final Office Action dated 17 November 2008, applicants request reconsideration of the claims in light of the arguments presented herein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.